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IV

A BILL TO AMEND THE MADRAS ELEMENTARY EDUCATION ACT, 1920.

Rai Bahadur T. M. NARASIMHACHARLU :—"Mr. President, I ask for leave to introduce a Bill to amend the Madras Elementary Education Act, 1920. After the enactment of this legislation, the district educational councils have been established and those councils have been going on working the Act. In the operation of this Elementary Education Act, I have found, by actual experience, that there are certain defects and that those defects are becoming more and more pronounced day by day. I have also consulted several other gentlemen who are working the Elementary Education Act and who are members of the several educational councils in the several districts. We find that there is a defect or rather some defects, in the constitution. It is with a view to remove these defects as early as possible that this Bill has been sought by me to be introduced and I now request the leave of the Council to introduce that Bill. By the kind permission of the Secretary, copies of my Bill have been typed and circulated among the Members. It will be seen from the copy that has been so circulated that the most important amendment that I seek for is with reference to the position of the presidents of the taluk boards. The Act provides that certain persons, for instance, the District Collector, the Inspector, and the Assistant Inspector will be ex officio members of the district educational council. It seems to me, Sir, that, so far as elementary education in the districts is concerned, the presidents of taluk boards should be also ex officio members. My reason is that the presidents of taluk boards are the managers of the elementary education schools in their respective jurisdictions. I know, Sir, in my district, that there is one taluk board where not even a single member including the president, is a member of the district educational council. I also find that there are some taluk boards wherein only one member out of two who originally represented continues to represent the several taluk boards and municipalities. My object is to make the taluk board presidents ex officio members. In that case whoever might be the president of the taluk board he could be in the district educational council."

The hon. the PRESIDENT :—"I may draw the attention of the hon. Member to Standing Order No. 37 which states : 'If a motion for leave to introduce a Bill is opposed, the President, after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from a member who opposes the motion, may without further debate put the question thereon.' The hon. Member is only asking for leave to introduce the Bill and I hardly think that a speech is necessary now. A brief statement is quite sufficient."

Rai Bahadur T. M. NARASIMHACHARLU :—"Thank you, Sir, for your kindness. The next point that I wish to seek amendment for is with reference to the representation of the several local bodies. As already pointed out, certain persons were originally sent to the district educational councils, and they are no longer members of the body and several other taluk boards are unrepresented in the council. That is the case with reference to the municipalities also.

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"Another point is with reference to the time at which resignation shall take effect. The next point is with reference to the disqualification of a member if he absents himself for more than two meetings. That sometimes works as a hardship and in order to bring it into conformity with the provision in the Local Boards and the Municipal

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Acts, an amendment is sought to be made. There are one or two other amendments which are only of minor importance and I submit, Sir, that this in brief is the gist of my amending Bill and I crave leave for introducing such a Bill."

The hon. Rao Bahadur A. P. PATRO :—" I am constrained, Sir, to oppose the motion made by Mr. Narasimhacharlu. I do so because this Elementary Education Act came into working only about fifteen months back and in the course of those fifteen months certain difficulties in its working have been pointed out. Moreover, the time has been so short that the district educational councils have done practically only one instalment of work—the distribution of the grant-in-aid. During my tour I consulted the presidents of the district educational councils. Many of them had not understood properly the functions of the district educational councils and therefore it will be some time before we can take stock of all the difficulties experienced by the district educational councils in the practical working of the Act.

" Secondly, Sir, in the course of the administration of this Act we have come across other difficulties, about 12 or 13 in number, which are being examined in the Secretariat. Thirdly, the presidents of the district educational councils have been also addressed to let the Government know in what matters they find difficulties. Some of the presidents of the district educational councils have individually written about difficulties in the matter of interpretation. We are examining the whole thing in order to bring out a consolidated measure. The hon. Mr. Narasimhacharlu's amendment relates to one main section, viz., that the term of membership in the district educational council should cease when a person ceases to be a member of his local board. This question also was discussed at length by the Select Committee during the discussion of the Elementary Education Bill. The Select Committee unanimously disapproved of the suggestion and decided that a member could be elected as a representative from among the members of the local bodies or other agencies. But on the representation of other bodies it was subsequently decided to allow any qualified person, not necessarily a member elected by a local board, to be a member on this Council. That was the view of the Select Committee. However, it seems to me that the position taken up by Mr. Narasimhacharlu is a reasonable one, viz., that when a local body elects a member, he is to represent that body, and when he ceases to be a member of the local body, he should also cease to be a member of the educational council. But that is only a minor difficulty and has not been experienced elsewhere as a very great difficulty in the working of the Act. We are now working this Elementary Education Act very fairly and no district educational council has yet found that the work of the local board has suffered owing to this difficulty. From the provisions of the Elementary Education Act itself, hon Members will see that the work depends more on the aided institutions, and that the relations with the local institutions maintained by the local boards do not matter so much. Under sections 21 and 41 of the Act the district educational councils have to call upon the local boards to submit schemes of expansion of elementary education to be passed by them and then they have to pass them on to the Government with their own views ; and any local board that wants to have any of its institutions recognized by the district educational council has to apply to it and obtain its permission for a grant. These are the two aspects of relationship between the local boards and the district educational councils. Therefore, hon. Members will see that this is not a very urgent matter and the work of the local boards will not suffer by the continuance of the existing state of things for some

time longer. As we are now examining all the difficulties that have been placed before the Government and as we propose to bring in a consolidated measure at an early date, I think the hon. Mr. Narasimhacharlu can wait till then. We would also consider the suggestions made by him when we take up the amendment of the Act as a whole."

Rai Bahadur T. M. NARASIMHACHARLU :—" I think, Sir, the hon. the Minister wants to have all the credit for himself of bringing in a consolidated Act. I think he also said that at least one of my suggestions seemed to be reasonable. Then why not I, Sir, have a little credit of having put through this Bill ? Everyone must be given an opportunity of training oneself though not with the hope of becoming a future Minister, at least with the hope of knowing the details of the working of the Council. The hon. the Minister said that many of the presidents of the district educational councils have not properly understood the provisions of the Bill. That is rather paying a very poor compliment to the Government themselves for nominating such persons who do not understand the provisions of the Bill."

The hon. Rao Bahadur A. P. PATRO :—" Most of them are elected."

Rai Bahadur T. M. NARASIMHACHARLU :—" Very well, Sir. Then the hon. the Minister himself concedes that certain difficulties have been experienced and that they are being examined by the Secretariat. But so far as the people are concerned we know, Sir, that the work of the Secretariat is slow, though in the end it is sure. I am dealing with the inner working of the educational council every day and I know, Sir, that one of the taluk boards is absolutely unrepresented. To that the hon. the Minister says: 'Oh! the relation between the district educational council and the taluk board is after all only of a nominal character.' I submit, Sir, whether it is nominal or real, so long as the law provides for their representation in the council, so long they would say that they should be represented. I find that neither the president nor any other member of the board is there. Then the hon. the Minister said that at the last discussion in the old Council when this Elementary Education Act was on the anvil, it was deliberately thought that the local bodies should be given the option of electing any person not necessarily a member of that body. I quite concede that position ; and it is not my object to alter that. But if instead of electing a person deliberately, who is not a member, they elected a member of their own body on the distinct understanding that he would continue to be a member there so long as he is a member of the local body, I submit, there could be very little opposition to my suggestion that as soon as he ceases to be a member of the local body he should also cease to be a member of the council. If my position is not correct, how is it that the hon. the Minister for Education has introduced that principle in his new University Bill ? In the University Bill the Minister makes proviso after proviso that he shall be a member in this body only so long as he is a member in that body. So I submit, Sir, it is a recognized principle. What I say is this. Let there be a member in the educational council ; but if he is elected as a member of the local body also, let him continue to be there only as long as he is a member of the local body. But if a person is deliberately elected outside the pale of the local body, then it is the function of the local body to make him a member of the council also for three years. That, I submit, is the real principle and that principle I have brought out in my amending Bill."

The hon. the PRESIDENT :—" I have abstained till now from calling the hon. Member to order. As a matter of fact, the hon. Member is now

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making a second speech. Under the Standing Order he can make only one speech, but as he has gone so far, I would allow him to proceed on the understanding that he will finish as soon as he can."

Rai Bahadur T. M. Narasimhacharlu :—" We are quite new, Sir, and I shall be guided by you at every stage."

The hon. the President :—" Let us confine ourselves to this stage now."

Rai Bahadur T. M. Narasimhacharlu :—" Very well, Sir. So far as
4 p.m. the ex officio question is concerned, the hon. the Minister has not replied and the other points he has not objected to. I only wish that at this stage I may be given leave. When the Bill is actually introduced, it may be torn to pieces by the hon. the Minister as he pleases, but if it survives, let it emerge. At present I only ask for leave, Sir, and I should have expected the hon. the Minister not to oppose the granting of the leave to a private member."

The motion was then put to the House and a poll taken with the following result:—

Ayes.

1. Diwan Bahadur P. Kesava Pillai.
2. Rao Bahadur A. S. Krishna Rao Pantulu.
3. Rai Bahadur T. M. Narasimhacharlu.
4. Mr. M. R. Seturatnam Ayyar.
5. Mr. T. Sivasankaram Pillai.
6. ,, R. Srinivasa Ayyangar.
7. ,, G. Vandanam.

Noes.

1. The hon. Sir Charles Todhunter.
2. ,, Khan Bahadur Sir Muhammad Habib-ul-lah Sahib Bahadur.
3. ,, Mr. K. Srinivasa Ayyangar.
4. ,, the Raja of Panagal.
5. ,, Rao Bahadur A. P. Patro Garu.
6. ,, Mr. A. R. Knapp.
7. Mr. F. J. Richards.
8. ,, R. G. Grieve.
9. ,, C. W. E. Cotton.
10. ,, E. Periyanayagam.
11. ,, A. Ramaswami Mudaliyar.
12. ,, S. R. Y. Ankinedu Prasad Bahadur.
13. ,, R. Appaswami Nayudu.
14. ,, B. P. Devarajulu Nayudu.
15. Sir P. Tyagaraya Chettiyar.
16. Diwan Bahadur R. Venkataratnam Nayudu.
17. Mr. S. T. Shanmukham Pillai.
18. Rao Bahadur T. Balaji Rao Nayudu.
19. Mr. C. Ramalinga Reddi.
20. ,, W. Vijayaraghava Mudaliyar.
21. ,, K. P. Gopala Menon.
22. ,, B. Muniswami Nayudu.
23. Mr. M. Narayanaswami Reddi.
24. ,, V. Pakkiriswami Pillai.
25. Diwan Bahadur T. N. Sivagnanam Pillai.
26. Mr. S. Somasundaram Pillai.
27. Diwan Bahadur K. Suryanarayanamurti Nayudu.
28. Mr. T. C. Tangavelu Pillai.
29. ,, C. V. Venkataramana Ayyangar.
30. ,, S. Muttumanikkachari.
31. Rao Bahadur C. V. S. Narasimha Raju.
32. Mr. A. Ranganatha Mudaliyar.
33. ,, A. T. Palmer.
34. Sri Meka V. Apparao Bahadur.
35. Mr. K. Prabhakaran Tampan.
36. Rev. W. Meston.
37. Hamid Sultan Marakkayar Sahib Bahadur.
38. Saiyid Ibrahim Ravuttar.
39. Kunhammad Koya Sahib Bahadur.
40. Saiyid Diwan Abdul Razzaq Sahib Bahadur.
41. Khan Bahadur Muhammad Usman Sahib Bahadur.
42. Mr. M. C. Madurai Pillai
43. ,, A. M. MacDougall.

The motion for leave to introduce the Bill was lost: *Ayes* 7 and *Noes* 43.

V

RESOLUTION UNDER SECTION 201 OF THE MADRAS LOCAL BOARDS ACT.

The hon. the Raja of Panagal :—" Mr. President, I beg to move the resolution that stands in my name which reads thus :

That the following draft of the rule proposed to be made by the Local Government under section 201 *of the Madras Local Boards Act*, 1920, *altering the proviso to rule* 5 (2) *of Schedule X of that Act, be approved* :—

Draft rule.

In exercise of the powers conferred on them by section 201 (1) *of the Madras Local Boards Act*, 1920, *the Local Government with the approval by*